

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ATLAS IP, LLC
A Florida Limited Liability Corporation,

Plaintiff,

$$V_{\bullet}$$

CITY OF NAPERVILLE,
An Illinois Municipality,

Defendant.

No. 1:15 cv 10744

Judge Sharon Johnson Coleman

**DEFENDANT CITY OF NAPERVILLE'S *CORRECTED*
REQUEST FOR JUDICIAL NOTICE IN SUPPORT OT ITS MOTION TO DISMISS**

Defendant City of Naperville (“Naperville”) hereby requests that this Court take judicial notice of the documents attached as Exhibits 1 and 2. Exhibit 1 is a true and correct copy of the House Document 114-33, Communications from the Chief Justice, The Supreme Court of the United States Transmitting Amendments to the Federal Rules of Civil Procedure That Have Been Adopted by the Supreme Court, Pursuant to 28 U.S.C. § 2072. Exhibit 2 is the Final Written Decision of the Patent Trial and Appeal Board (“PTAB”) in *St. Jude Medical, Inc. v. Atlas IP LLC*, Case IPR2014-00916, dated December 3, 2015.

Naperville respectfully requests that the Court take judicial notice of the attached exhibits pursuant to the Federal Rules of Evidence, Rule 201. *See Opoka v. I.N.S.*, 94 F.3d. 392, 394 (7th Cir. 1996) (“it is a well-settled principle that the decision of another court or agency including the decision of an administrative law judge, is a proper subject of judicial notice.”). These documents are not subject to reasonable dispute because they “can be accurately and readily

determined from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid.
201(b).

Dated: February 10, 2016

Respectfully submitted,

BAKER & HOSTETLER LLP

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CERTIFICATE OF SERVICE

I, George J. Tzanetopoulos, an attorney, certify that on February 10, 2016, a true copy of the foregoing **DEFENDANT CITY OF NAPERVILLE'S CORRECTED REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF ITS MOTION TO DISMISS** was served on all attorneys of record via the United States District Court's CM/ECF system.

/s/ George J. Tzanetopoulos